

VZCZCXRO4599  
RR RUEHMR RUEHRN  
DE RUEHSA #1554/01 1231429  
ZNY CCCCC ZZH  
R 031429Z MAY 07  
FM AMEMBASSY PRETORIA  
TO RUEHC/SECSTATE WASHDC 9535  
INFO RUCNSAD/SOUTHERN AF DEVELOPMENT COMMUNITY COLLECTIVE  
RUEHAR/AMEMBASSY ACCRA 0982  
RUEHDS/AMEMBASSY ADDIS ABABA 2069  
RUEHBS/AMEMBASSY BRUSSELS 1089  
RUEHBY/AMEMBASSY CANBERRA 0515  
RUEHLO/AMEMBASSY LONDON 1184  
RUEHOT/AMEMBASSY OTTAWA 0465  
RUEHFR/AMEMBASSY PARIS 1072  
RUEHWL/AMEMBASSY WELLINGTON 0074  
RUEHTN/AMCONSUL CAPE TOWN 4268  
RHEHNSC/NSC WASHDC  
RUEAIIA/CIA WASHINGTON DC  
RUEKDIA/DIA WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 03 PRETORIA 001554

SIPDIS

SIPDIS

DEPT FOR P, AF, IO, DRL, AF/S

E.O. 12958: DECL: 05/01/2017

TAGS: [PREL](#) [PHUM](#) [KDEM](#) [ZI](#) [SF](#)

SUBJECT: MDC WRITTEN SUBMISSION TO MBEKI DETAILS OBSTACLES  
TO FREE AND FAIR ELECTIONS

REF: A. PRETORIA 1447

[1](#)B. PRETORIA 1054

[1](#)C. HARARE 344

Classified By: Charge d'Affaires Donald Teitelbaum. Reasons 1.4(b) and (d).

[1](#)1. (C) The Zimbabwe opposition party Movement for Democratic Change (MDC) presented its concerns about upcoming elections in a formal, 10-page written submission to South African President Mbeki, dated 11 April 2007. Mbeki is serving as the "facilitator" in Zimbabwe on behalf of the Southern African Development Community (ref A), and has said that he seeks to encourage dialogue between the MDC and ruling ZANU-PF on the conditions for holding "free and fair" elections in 2008. The SAG requested the MDC document during two late March/early April meetings with MDC Secretaries General Tendai Biti and Welshman Ncube (ref B).

[1](#)2. (C) Post obtained a copy of the MDC written submission, presented jointly by both MDC "formations," from IDASA analyst Sydney Masamvu (protect), who received it from unnamed sources in the Netherlands Institute for Multiparty Democracy (IMD). IMD has supported the Cape Town-based Zimbabwe Institute, which Masamvu believes helped draft the document. The document is entitled "MDC Submission to the South African President Thabo Mbeki: SADC appointed Mediator on Zimbabwe. Conditions for free and fair elections in Zimbabwe. A pre-dialogue statement" (full document emailed to Embassy Harare and AF/S).

-----  
Urges End to Violence and New Constitution  
-----

[1](#)3. (C) The MDC submission begins with an introduction and general observation that "proper negotiations" cannot take place in the midst of the GOZ's current "campaign of violent repression." However, the document makes clear that ending the violence is not a "precondition" to talks.

[1](#)4. (C) The document briefly reiterates the MDC view that the "present Constitution is the root cause of many of the problems" in Zimbabwe, and says that "elections should only

take place after a new democratic national Constitution comes into operation in Zimbabwe." During upcoming negotiations, the MDC promises to "table its proposals" on the process for creating a "new democratic constitutional order in Zimbabwe" and the "principles upon which the new Constitution should be based."

-----  
MDC Describes "Obstacles" to Free and Fair Elections  
-----

¶5. (C) The remainder of the submission, entitled "Creating conditions for free and fair elections," describes in varying degrees of detail 17 "obstacles" to the holding of free and fair elections in Zimbabwe. The presentation draws heavily on the SADC Electoral Principles. The obstacles are summarized below using the same heading titles as the MDC submission:

¶1. "Eligibility to vote" (must allow Zimbabwean diaspora to vote);

¶2. "Deficiencies in the voters' rolls and voter registration" (need an updated and accessible voters' roll);

¶3. "Ensuring impartial management of elections" (must put in place a "genuinely independent and impartial electoral commission");

¶4. "Resolution of electoral disputes and complaints" (system must address disputes, compared to past experience when courts have "delayed inordinately the resolution of electoral disputes");

PRETORIA 00001554 002 OF 003

¶5. "Delimitation commission" (need neutral commission that does not gerrymander);

¶6. "Auditing the electoral process" (need independent audit, especially of ballot papers);

¶7. "Voter education" (must allow civic organizations to provide voter education);

¶8. "Ensuring impartial policing of election" (need "professional and politically impartial policing of the election");

¶9. "Ensuring freedom of peaceful assembly and association" (must "revise" Public Order and Security Act (POSA) to "ensure that all political parties and voters are able to enjoy to the full their constitutional rights of freedom of expression and assembly, while ensuring that public order is preserved");

¶10. "Preventing political misuse of military forces" (must ensure the military are "not politically misused" and are "kept out of the management of elections");

¶11. "Preventing political misuse of youth militia and war veterans" (must be "prevented from engaging in activities that will prevent the holding of free elections");

¶12. "Preventing political misuse of powers of traditional leaders" (must ensure chiefs are neutral; many abused position in past elections by threatening villagers with expulsion or withholding food);

¶13. "Preventing abuse of food aid" (must not use food as "political weapon" during elections);

¶14. "Media access, media coverage of elections and freedom of expression" (must ensure that media coverage of campaign is "fair" and that all parties have "equitable access to public media;" state media is "propaganda tool" of ZANU-PF; the

Access to Information and Protection of Privacy Act (AIPPA) is used by the state to stifle independent media);

¶15. "Ensuring full observation of election" (all regional, international and local observers "wishing to observe during the situation should able (sic) to do so freely before, during and after the election");

¶16. "Election agents and monitors" (must allow opposition party agents and monitors to "carry out their duties," including the opening and sealing of ballot boxes and the counting of votes; and

¶17. "Stopping the use of state resources for political campaigns."

The submission concludes by reemphasizing that the SADC Electoral Principles require "members states to foster an atmosphere of political tolerance for the proper holding of elections," and thus "appropriate measures must be taken immediately if the elections to be held in 2008 are to conform with the SADC Principles."

¶16. (C) COMMENT: As reported in Ref A, South African President Mbeki is treating the Zimbabwe mediation as a negotiation between the MDC and ZANU-PF. He likely views this written submission as the MDC's initial negotiating position and will now attempt to find "common ground" with ZANU-PF on the 17 electoral issues. That said, if the SAG truly wants free and fair elections (and we have our suspicions they may not, as described in Ref A), we believe there is little to negotiate since the suggested reforms -- at least the overwhelming majority of them -- strike us as the basic conditions for holding credible elections in Zimbabwe.

PRETORIA 00001554 003 OF 003

¶17. (C) COMMENT CONTINUED: We found the MDC submission generally well-written and well-argued. Referring to the SADC Electoral Guidelines will play well with the SAG. We were surprised, however, that the MDC downplayed the role of the international community in supervising the elections, considering the past experience with GOZ fraud. It also would have been helpful if the party had provided some sense of prioritization or categorization, instead of merely supplying a long laundry list of issues. END COMMENT.

¶18. (U) This message was coordinated with Embassy Harare.  
TEITELBAUM